

The Workforce Services and Community and Economic Development Interim Committee voted unanimously on 10/19/05 to recommend this draft legislation as a committee bill.

Senate Sponsor:  
Sen. John Hickman

Co-sponsor:  
Sen. Dan R. Eastman  
Sen. Karen Hale  
Sen. Peter C. Knudson

Key Points:

- Endorsed by the Employment Advisory Council
- Requested to keep Utah statute current with the Professional Employer Organization Registration Act.

House Sponsor:  
Rep. Fred R. Hunsaker

Co-sponsor:



## UTAH DEPARTMENT OF WORKFORCE SERVICES

*Utah's Job Connection*

BILL #: SB 21

TITLE: EMPLOYMENT SECURITY ACT  
AMENDMENTS

SUMMARY:

- **Section 35A-4-202 (lines 59-62)** This change is required to keep our statute terminology current with the Professional Employer Organization Registration Act, sections 58-59.
- **Section 35A-4-204 (lines 122-127)** This change is required to specifically include Indian Tribes in the definition of employment as required by federal statute, Section 3309 of the Internal Revenue Code (IRC).
- **Section 35A-4-205 (lines 238-241)** The revisions are requested to be more consistent with the Federal Unemployment Tax Act (FUTA) with respect to exempt services and to distinguish exempt services in federal law from exempt services in Utah statute. The proposed changes:
  - **(lines 283-285)** exempt a student nurse in the employ of a hospital or nurse's training school. Most hospitals in Utah are "reimbursable" employers for UI taxes thus the exemption would have little fiscal impact on employers.
  - **(lines 309-311)** exempt an election official or election worker that is paid less than \$1,000 in a calendar year. Currently all Utah counties and most Utah cities are reimbursable; therefore this would have a negligible impact on UI contribution revenues.
- **Section 35A-4-305(11) (lines 608, 609)** The requested change in the law is needed to clarify that the Unemployment Insurance Division is explicitly authorized to file the lien directly with the clerk of the district court to make the lien valid against other lien creditors without utilizing an intermediary (Sheriff's Office) to perform this clerical function.
- **Section 35A-4-309(2) (lines 696, 703, 706)** This change is required to correct the law with respect to filing an appeal to a Division of Adjudication determination of a nonprofit reimbursable employer. The current law directs initial appeals to the Workforce Appeals Board instead of the Division of Adjudication.

*For more information contact:*

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